

**REMARKS**

Applicants respectfully request favorable reconsideration of this application, as amended.

Applicants note with appreciation the acceptance of the drawings, the acknowledgement of the claim for foreign priority and the receipt of certified copies of the priority documents from the International Bureau. *See*, Office Action Summary.

Applicants also note with appreciation the indication of allowable subject matter within Claims 8, 9, 11, 12, 17 and 18. *See*, Office Action at Page 19.

Claims 1–21 were rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. In response, Claim 1 has been amended to recite the location of the method steps, thereby tying the method to a particular machine, i.e., the OLT. Claims 2, 3, 4, 5, 7, 8, 10, 11, and 13 have been amended to comport with Claim 1, and Claim 22 has been added. Support for these amendments may be found, for example, in the Specification at Paragraphs 0086, 0153, etc. No new matter has been added, and Applicants respectfully submit that the rejection has been overcome.

Claims 11 and 12 were rejected under 35 U.S.C. § 112, 2<sup>nd</sup> Paragraph, as being indefinite, and Claim 11 has been amended accordingly. No new matter has been added, and Applicants respectfully submit that the rejection has been overcome.

Claims 1, 4, 13 and 14 were rejected under 3 U.S.C. § 102(e) as being anticipated by Choi (US 7,362,975). Claims 2, 3 and 5 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Choi in view of Ganesh (US 6,956,854), Claim 6 was rejected as being unpatentable over Choi in view of Lee (US 7,443,861), Claims 7, 10, 15 and 19 were rejected as being unpatentable over Choi in view of Lee, and in further view of Choksi (US 6,978,144), Claim 16 was rejected as being unpatentable over Choi in view of Ganesh, and in further view of Liu (US 6,987,753), and Claims 20 and 21 were rejected as being unpatentable over Choi in view of Lee and Choksi, and in further view of Liu. Applicants respectfully traverse.

The Office Action opines that Choi discloses “scheduling start time of granted data transmission of every to-be-granted service port of current CNU,” as recited by Claim 1 (emphasis added). *See*, Office Action at Page 4. Applicants disagree. Instead, Choi teaches that “As shown in FIG.3b, the GATE message PDU includes grant level, grant length, and start time of a granted timeslot of upstream bandwidth. The ONUs have different numbers of

timeslots, and the addition of the grant level information enables service-based upstream bandwidth allocation in ONUs, thereby guaranteeing the QoS" (Col. 5:34–38; emphasis added). Accordingly, Applicants submit that Choi is directed to service-based upstream bandwidth allocation in multiple ONUs, rather than multiple service ports of the same ONU, as recited by Claim 1. Consequently, Choi fails to disclose (or even suggest) these features.

The Office Action also opines that Choi discloses "generating a downlink granting message including both said granting information and said start time of granted data transmission of every granted port of said current ONU, and transmitting said downlink granting messages to said current ONU," as recited by Claim 1 (emphasis added). *See*, Office Action at Pages 4–5. Applicants disagree. First, the Office Action notes that, in Figs. 3, 4a-b, Col. 5:34–38, "Choi shows how the bandwidth is assigned to each ONU based on service priority" (Page 4). Second, Applicants submit that information included in the claimed downlink granting message is related to every granted port of said current ONU, instead of multiple ONUs, as taught by Choi. Third, Choi offers a technical solution that performs dynamic bandwidth allocation for multiple ONUs according to descending order of priorities of each ONU, which is irrelevant to the features recited by Claim 1, and, more specifically, the claimed "generating a downlink granting message including both said granting information and said start time of granted data transmission of every granted port of said current ONU, and transmitting said downlink granting messages to said current ONU" (emphasis added). Consequently, Choi fails to disclose (or even suggest) these features.

Moreover, none of the remaining references, taken either singly or in combination, cures Choi's deficiencies.

Accordingly, Applicants submit that Claim 1 is allowable over Choi. Furthermore, Claims 2–22, depending from Claim 1, are also allowable, at least for the reasons discussed above. Applicants also submit that the cited references fail to teach or suggest many of the features recited by the dependent claims, and, consequently, that these claims are independently allowable.

In view of the foregoing amendments and remarks, Applicants respectfully submit that this application is in condition for allowance and should now be passed to issue.

A Notice of Allowance is respectfully solicited.

If any extension of time is required in connection with the filing of this paper and has not been requested separately, such extension is hereby requested.

The Commissioner is hereby authorized to charge any fees and to credit any overpayments that may be required by this paper under 37 C.F.R. §§ 1.16 and 1.17 to Deposit Account No. 50-2036.

Respectfully submitted,

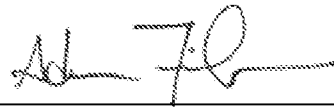
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By: \_\_\_\_\_

A handwritten signature in black ink, appearing to read 'Adam M. Treiber', is written over a horizontal line.

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Registration No. 48,000